

**RESOLUTION NO. 138-2019**

**TITLE: ENTER INTO AGREEMENT  
COUNTY OF SUMMIT**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF SUMMIT FOR PAVEMENT MAINTENANCE, LOCATED IN THE CITY OF BARBERTON, AND DECLARING AN EMERGENCY.**

**WHEREAS,** The City requires the regular maintenance of roadway located within the City, including pavement markings (said improvement being referenced herein as the “Project”); and

**WHEREAS,** the Project’s estimated cost for construction, construction engineering and inspection (herein referenced as the “Project’s Construction Cost”) is \$20,000; and

**WHEREAS,** the City plans to provide the remaining Project funds, in an estimated amount not to exceed \$20,000.00; and

**WHEREAS,** Summit County Engineer and the City desire to enter into an agreement, to confirm the Project’s Construction Cost and to designate the County of Summit as the lead agency for administration of competitive bidding, and the City as the lead agency for construction and construction engineering of the Project; and

**WHEREAS,** said Agreement will cite the City’s share of the Project’s Construction Cost as \$20,000.00; and

**WHEREAS,** this Council has determined by reviewing all pertinent information that authorizing the Mayor to enter into the aforementioned agreement with County of Summit is necessary and in the best interest of the City.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Barberton, State of Ohio:

**SECTION 1.** The Mayor is hereby authorized to enter into an agreement with the County of Summit, through the Summit County Engineer, for its 2020 road paving and maintenance program.

**SECTION 2.** The terms of said agreement shall include the following:

- a. That the parties estimate the Project’s Construction Cost to be \$20,000.00, with said cost including engineering and inspection;
- b. That the net estimated cost to the City shall be an amount not to exceed \$20,000.00; and
- c. That the City shall provide all other financial resources necessary to fully complete the Project.

**SECTION 3.** That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

**SECTION 4.** That this resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, for the reason that it completes a prerequisite for safe and convenient travel within the City, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed \_\_\_\_\_ 2019

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Approved \_\_\_\_\_ 2019

\_\_\_\_\_  
Mayor